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Customer No. 22,852  
Attorney Docket No. 05725.0905-00  
Application No.: 09/881,097

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
**Valérie DE LA POTERIE et al.** )  
)  
Appln. No.: 09/881,097 ) Group Art Unit: 1616  
)  
Filed: June 15, 2001 ) Examiner: M. Lamm  
)  
For: FILM-FORMING COSMETIC )  
COMPOSITION )

Commissioner for Patents and Trademarks  
Washington, DC 20231

Sir:

**TERMINAL DISCLAIMER**

Assignee, L'Oréal S.A., duly organized under the laws of FRANCE and having its principal place of business at 14, Rue Royale, 75008, Paris, France, through its attorneys, represents that it is the assignee of the entire right, title and interest in and to the instant application, Application No. 09/881,097, filed June 15, 2001, in the names of Valérie DE LA POTERIE, Jean MONDET, and Frédéric AUGUSTE, for FILM-FORMING COSMETIC COMPOSITION, as indicated by assignment duly recorded in the U.S. Patent and Trademark Office at Reel 012250, Frame 0491, on October 15, 2001.

Assignee, L'Oréal S.A. further represents that it is the assignee of the entire right, title and interest in and to Application No. 09/880,792, filed June 15, 2001, now issued as U.S. Patent No. 6,464,969, in the names of Valérie DE LA POTERIE, Jean

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01/13/2003 NHOHAM1 00000109 09881097

02 FC:1814

110.00 OP

MONDET, and Frédéric AUGUSTE, for FILM-FORMING COSMETIC  
COMPOSITION as indicated by assignment duly recorded in the United States  
Patent and Trademark Office at Reel 012249, Frame 0755, on October 9, 2001, and  
the assignee of the entire right, title and interest in and to Application No.:  
09/880,787, filed June 15, 2001, in the names of Valérie DE LA POTERIE, Jean  
MONDET, and Frédéric AUGUSTE, for FILM-FORMING COSMETIC  
COMPOSITION, as indicated by assignment duly recorded in the United States  
Patent and Trademark Office at Reel 012297, Frame 0274, on November 5, 2001.

Evidentiary documents have been reviewed and, to the best of the  
undersigned's knowledge and belief, title to both the instant application and the U.S.  
patent listed above is in the assignee submitting this Terminal Disclaimer.

To obviate a double patenting rejection, Assignee hereby disclaims, except as  
provided below, the terminal part of the statutory term of any patent granted on the  
instant application, which would extend beyond the expiration date of the full  
statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by  
any terminal disclaimer, of U.S. Patent No. 6,464,969 and any patent granted on  
Application No. 09/880,787. Assignee hereby agrees that any patent so granted on  
the instant application shall be enforceable only for and during such period that it,  
U.S. Patent No. 6,464,969, and any patent granted on Application No. 09/880,787  
and are commonly owned. This agreement runs with any patent granted on the  
instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part  
of any patent granted on the instant application that would extend to the expiration


date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of U.S. Patent No. 6,464,969, and any patent granted on Application No. 09/880,787, as presently shortened by any terminal disclaimer, in the event that U.S. Patent No. 6,464,969 or any patent granted on Application No. 09/880,787 later expires for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$110.00 is being filed with this disclaimer.

If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:   
Mark D. Sweet  
Reg. No. 41,469

Dated: January 10, 2003

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